

FILED  
2021 MAR 24 AM 10:46  
CLERK  
U.S. DISTRICT COURT

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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AMY H.,

Plaintiff,

v.

ANDREW M. SAUL,

Defendant.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 1:20-cv-00014-JNP

District Judge Jill N. Parrish

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Plaintiff Amy H. seeks judicial review of the determination of Defendant Andrew M. Saul, the Commissioner of the Social Security Administration (“Commissioner”), denying her application for disability insurance benefits. Magistrate Judge Romero issued a Report and Recommendation (ECF No. 22) recommending that the Commissioner’s decision be reversed and that the case be remanded for further consideration, specifically regarding Plaintiff’s alleged somatic symptom disorder. Judge Romero notified the parties that a failure to timely object to her recommendation could constitute a waiver of further objection. No party filed an objection within the allotted time.

Because no party objected to the Report and Recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if “the interests of justice so dictate.” *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that

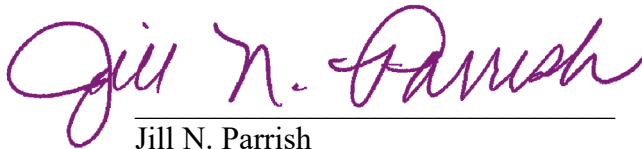
the interests of justice do not warrant deviation from the waiver rule and ADOPTS IN FULL the Report and Recommendation.

Accordingly, the court ORDERS as follows:

1. The Report and Recommendation (ECF No. 22) is ADOPTED IN FULL.
2. The Commissioner's decision is REVERSED and this matter is REMANDED for further proceedings in accordance with the Report and Recommendation.

DATED March 24, 2021.

BY THE COURT



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Jill N. Parrish  
United States District Court Judge